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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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NEW YORK, NY 10017

EXAMINER

KRAMER, JAMES A

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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3627

DATE MAILED: 01/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/829,800

Applicant(s)

INDENCE, BERNADETTE

Examiner

James A. Kramer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-29 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 24-29 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 24-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gottsman et al. in view of Berlin et al.

Gottsman teaches a method for advanced mobile shopping. In particular a shopper using a hand-held personal digital assistant (PDA) with an electro-optical scanner (column 1; lines 57-59) is able to capture product specific data (i.e. UPC code). Then, via a wireless modem attached to the PDA, the shopper can order a product by interacting with web server software utilizing an Intention Value Network.

Grottsman then teaches the Intention Value Network manages the relationship between suppliers and consumers, specifically coordinating suppliers' fulfillment of consumers' intentions (column 37; lines 63-65). The Intention Value Network combines user preference data, product specific data captured via the PDA and user specific data in the customer profile database. The system sends this combined data to a Web/Application server that extracts the requested product information from supplier databases and customizes it based on the user's profile. After customization the system returns the data to the PDA where the customer can select a product and/or supplier and initiate purchase (column 38; lines 1-15).

Examiner notes that the Intention-Centric Interface taught by Gottsman allows a user to manage the process of satisfying a particular intention (column 35; lines 40-42). The user accomplishes this by manually inputting preference data, based on his/her intentions into the system (column 35; lines 55-57).

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Additionally as part of the Intention Value Network, Gottsman teaches an agent used to provide the customer with helpful tips and reminders (column 39; lines 27-30) and an agent for providing descriptions of upcoming events (column 39; lines 38-39).

Grottsman does not specifically teach processing a scheduled transaction.

Examiner takes Official Notice that processing a scheduled transaction is an old and well known intention of a user. User's schedule transactions in order to have an item delivered at a particular date (i.e. on a person's birthday or for a holiday such as Christmas).

Examiner notes that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the combination of PDA with electro-optical scanner and Intention Value Network in to schedule a transaction by a user manually inputting a date for delivery as well as inputting via electro-optical scanner a desired item for purchase. The Web/Application server could then extract the requested product information from supplier database and customize it based on the manually entered user profile. One of ordinary skill would be motivated to use the system of Grottsman for this purpose in order to have an item delivered to a user on a particular date (i.e. for the person's birthday or a holiday such as Christmas).

Gottsman does not specifically teach a user entering both an event date and a reminder date. The Examiner takes Official Notice that it is old and well known for a user to have the intention of sending a gift on an important date. It is also old and well known for users to input not only the important date into a computer system but also a reminder date in order for the user to be provided a heads up before the actual event. Examiner uses Microsoft Outlook as an example. When a user enters an event in the calendar, Outlook allows the user to input date and time to receive a reminder of the event.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Grottsman to include a reminder date and then to use this reminder date within the system to return data to the user for selection of a product and/or supplier and to initiate purchase (column 38; lines 1-15). One of ordinary skill would have been motivate to modify the system in order to ensure product selection (i.e. a heads up) prior to the event date.

Gottsman does not teach visually inspecting the data entered.

Berlin teaches a method of distributing documents over a computer system where users have the ability to perform a visual inspection of the documents prior to accepting them for transmission. Berlin teaches visual inspection to ensure that a user agrees with the data before processing it. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the visual inspection of Berlin to the method of Gottsman in order for a user to verify product data prior to submission to the Web/Application server, as well as to ensure that the user agrees with what will be transmitted.

Response to Arguments

Applicant asserts that the Prior Art does not teach two actions performed by the reminder date. Examiner notes that the Gottsman renders obvious the two actions are performed prior to an intention date. The combination of Gottsman and Official Notice of entering a reminder date, render it obvious that the intention date is a reminder date.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Kramer whose telephone number is (703) 305-5241. The examiner can normally be reached on Monday - Friday (8AM - 5PM).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on (703) 305-4716. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

James A. Kramer
Examiner
Art Unit 3627

JAK


Richard Chilcot
Supervisory Patent Examiner
Technology Center 2850